IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

THURSDAY, THE 20TH JULY 2006 / 29TH ASHADHA,1928

Bail Appl..No. 4212 of 2006

(CRIME NO.128/2006 OF MUNAMBAM POLICE STATION)

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PETITIONER

RAJMOHANAN, AGED 54 YEARS,
S/O.RAJU, MARAMITTATHU VEETTIL,
PERUVARAM, N.PARUR.

BY ADV. SRI.B.PREMOD

RESPONDENTS:

CIRCLE INSPECTOR OF POLICE,
NARAKKAL, REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR K. RAVIKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20/07/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A.4212/2006

DATED THIS THE 20TH DAY OF JULY, 2006

O R D E R

The petitioner is a police constable. He is the brother of the husband of the victim. There was a difference of opinion between the victim and her husband. The petitioner had approached the victim to patch up this difference of opinion between the victim and his brother. It resulted in he raping her. She made a complaint before the womans cell. The same had been forwarded to the police station. Therefore, the Inspector of Munambam police station, registered crime No.128/2006, under section 376 IPC. The petitioner was arrested on 4.6.2006. He remains in judicial custody. Hence this application under section 439 Cr.P.C.

2. I heard both sides and also gone through the facts on record, I find that if I grant bail to the petitioner there is a every possibility of the petitioner influencing the investigating officer and also either threatening or

influencing other witnesses as well.

3. In such circumstances, because of the present stage of the investigation, I am not inclined to grant bail. Hence the prayer is rejected.

J.M.JAMES
JUDGE

mrcs